

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA
:
- v. - : CONSENT PRELIMINARY ORDER
:
OKECHUKWU PETER EZIKA, : MONEY JUDGMENT
:
Defendant. : S5 18 Cr. 117 (KPF)
:
- - - - - x

WHEREAS, on or about January 11, 2019, OKECHUKWU PETER EZIKA (the "defendant"), was charged in a one-count Superseding Information, S5 18 Cr. 117 (KPF) (the "Information"), with engaging in monetary transactions in property derived from specified unlawful activity, in violation of Title 18, United States Code, Section 1957 (Count One);

WHEREAS, the Information included a forfeiture allegation as to Count One of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), of any and all property, real and personal, involved in the offense charged in Count One of the Information, or any property traceable to such property, including but not limited to a sum of money in United States currency representing the amount of property involved in the offense charged in Count One of the Information;

WHEREAS, on or about January 11, 2019, the defendant pled guilty to Count One of the Information, pursuant to a plea agreement with the Government, wherein the defendant admitted the

forfeiture allegation with respect to Count One of the Information and agreed to forfeit, pursuant to Title 18, United States Code, Section 982(a)(1), a sum of money equal to \$650,782 in United States currency, representing property involved in the offense charged in Count One of the Information;

WHEREAS, the defendant consents to the entry of a money judgment in the amount of \$650,782 in United States currency representing the amount of property involved in the offense charged in Count One of the Information; and

WHEREAS, the defendant admits that, as a result of acts and/or omissions of the defendant, the property involved in the offense charged in Count One of the Information cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Audrey Strauss, United States Attorney, Assistant United States Attorney, Robert B. Sobelman, of counsel, and the defendant, and his counsel, Michael P. Kushner, Esq., that:

1. As a result of the offense charged in Count One of the Information, to which the defendant pled guilty, a money judgment in the amount of \$650,782 in United States currency (the "Money Judgment"), representing the amount of property involved in

the offense charged in Count One of the Information, shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the defendant, OKECHUKWU PETER EZIKA, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Department of Treasury, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number

4. The United States Department of Treasury or its designee shall be authorized to deposit the payment on the Money Judgment in the Treasury Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to 21 U.S.C. § 853(p), the United States is authorized to seek forfeiture of substitute assets of the defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Chief of the Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.


9. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.


AGREED AND CONSENTED TO:

AUDREY STRAUSS
United States Attorney for the
Southern District of New York

By: /s/ Robert B. Sobelman 5/28/2021
ROBERT B. SOBELMAN DATE
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2616

OKECHUKWU PETER EZIKA

By:  05/28/2021
/by counsel DATE
OKECHUKWU PETER EZIKA

By:  05/28/2021
MICHAEL P. KUSHNER, ESQ. DATE
Attorney for Defendant
Kushner Law Group PLLC
16 Court Street, 36th Floor
Brooklyn, NY 11241
(718) 504-1440

SO ORDERED:

 6/3/2021
HONORABLE KATHERINE POLK FAILLA DATE
UNITED STATES DISTRICT JUDGE